

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
May 26, 2015**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, May 26, 2015 at 6:00 p.m. in regular session with Mayor Phillip Burch presiding, and the following present to wit:

Jose Luis Aguilar	Raul Rodriguez
Kent Bratcher	Bill Rogers
Terry Hill	Nora Sanchez

The following were absent:

Manuel Madrid Jr.
Jeff Youtsey

Also present:

Aubrey Hobson, City Clerk-Treasurer
John Caraway, City Attorney

It was determined that a quorum was present. The invocation was given by Councilor Rodriguez, and all joined in the Pledge of Allegiance.

New Requests for City Facilities

City Clerk Aubrey Hobson presented a request from Haley Montes, representing the Artesia Junior High Cheerleaders for the use of Jaycee Park on Saturday, June 20, 2015 from 7:00 p.m. to 11:30 p.m. for a Glow Run/5K Walk. Councilor Rodriguez moved to approve this request contingent upon proof of security being provided. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Consent Agenda

Mayor Pro tem Hill requested that items 7-A, 7-B, 7-F and 7-J be pulled for separate consideration. Councilor Rodriguez moved to approve the Consent Agenda minus items 7-A, 7-B, 7-F, and 7-J. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

The Consent Agenda includes:

1. Approval of Minutes: * May 12, 2015 – Regular meeting
2. Consideration of Bids:
 - A. *Approval of award of bid to provide an indefinite quantity contract for side load refuse vehicle(s) for the Solid Waste Department to Albuquerque Freightliner, Albuquerque, NM.
 - B. *Approval of award of bid to provide sale of scrap metal services for the Solid Waste Department for a four (4) year contract to Artesia Metals, Artesia, NM
3. Contracts, Leases and Agreements:
4. Appointments:
5. Resignations:
6. Dates of Hearing:

7. *Travel and Training:
 - A. pulled for separate consideration
 - B. pulled for separate consideration
 - C. Fire – Permission for one (1) employee to attend the NM State Consultation meeting with First Net in Santa Fe, NM
 - D. Fire – Permission for one (1) employee to attend the NM State Firefighter's conference in Albuquerque, NM
 - E. Police – Permission for one (1) employee to attend the DWI Checkpoint training in Lovington, NM
 - F. pulled for separate consideration
 - G. Police – Permission for one (1) employee to attend the Basic SWAT course in Las Cruces, NM
 - H. F&A – Permission for one (1) employee to attend the NLC conference in Nashville, TN
 - I. Police – Permission for one (1) employee to attend the Elderly Domestic Violence & Sexual Assaults training in Las Vegas, NV
 - J. Pulled for separate consideration.
8. Routine Requests for City Facilities:
9. Budgeted Items:
10. Non-budgeted Items:
11. *Payment of Bills

Mayor Pro tem moved to approve the following Consent Agenda items ((A. Police – Ratification of Mayor Burch's approval for one (1) employee to attend the Child Safety Seat clinic in Albuquerque, NM ; B. Police – Permission for one (1) employee to attend the Child Safety Seat clinic in Las Cruces, NM; F. Police – Permission for three (3) employees to attend the Glock Armorer's training in Moriarty, NM; and J. Police – Permission for one (1) employee to attend the Glock Armorer's course in Morgan's Point Resort, TX), contingent upon review with the Police Chief and assurance that the levels are different, since the same person is scheduled to attend both sessions. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Public Hearings

Mayor Burch declared the meeting open for public hearing to consider the following:

1. Consideration and approval of Case No. 15-16, Zone change from PUD to R1-B District, 401 S. 20th Street, being 3.5 acres in NW¼NW¼ SW ¼ Section 18, T 17 S, R 26 E. Owner – Faith Baptist Church; Agent – Smith Engineering.

Community Development Director Jim McGuire presented this request to change the zoning for lots owned by Faith Baptist Church from PUD to R1-B. Mr .McGuire reported that churches were an allowed use in an R1-B zone and that would coordinate with all the other lots acquired by Faith Baptist Church. They have already re-platted the property to consolidate all lots as one lot.

Scott Hicks, representing Smith Engineering reported that Faith Baptist Church had requested the re-plat and the zone change request so that their entire property was one tract and had one zoning. Councilor Rodriguez moved to approve Case 15-16, zone change from PUD to R1-B for Faith Baptist Church. The motion was seconded by Mayor Pro tem Hill and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Hill, Rodriguez, Rogers, Sanchez

Nay: none

the motion passed.

ORDINANCE NO. 968

2. Consideration and approval of Case No. 15-21, a variance to City Code 9-9-3A – requiring a minimum lot width of 50 feet and a lot size of 6,000 feet in the R1-B district. 606 W. Cleveland Avenue, being Lot 2 of Block 21, including the 30 feet east of Lot 2 of Artesia Heights Subdivision, Owners:Habitat for Humanity of Artesia. Agent: Teresa Ashley.

Mr. McGuire presented the request for a variance to lot width and lot size for 606 W. Cleveland for Habitat for Humanity to allow them to build two houses on lots with 40 foot width and total lot size of 5,800 feet. Mr. McGuire reported that there was some confusion, since 606 W. Cleveland also includes an additional 30 feet that was deeded to the property when the city vacated a street.

Planning and Zoning Commission recommends passage.

Staff has expressed a concern that the city would be taking one conforming lot and dividing into two lots that are not conforming and that could set precedence for future requests for variance.

Dan Banks, representing Habitat for Humanity, stated that the lot has been vacant for at least 7-8 years, because no one wanted to live in that neighborhood. Mr. Banks also reported that they are prepared to start building at 606 W. Cleveland, and would also be prepared to start building at 604 W. Cleveland, if the variance is approved and that would add money to the city through property tax.

Mr. McGuire reported that if the variance is approved, the next step would require Habitat for Humanity to request a re-plat to set the new property lines for each lot.

Mayor Burch stated for the record, that whether the variance is approved or not, the city would not be receiving any money from property tax, since the city has recently rescinded their portion of property tax, by ordinance.

Councilor Aguilar moved to approve the variance in lot width and size for 606 W. Cleveland. The motion was seconded by Councilor Sanchez and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Rodriguez, Sanchez

Nay: Hill, Rogers

the motion passed.

3. Consideration and approval of an ordinance amending Sections 9-2-2, 9-3-1, 9-4-2, 9-4-3, 9-4-5, 9-4-7, 9-4-8, 9-4-9, 9-4-10, 9-4-11, 9-5-2, 9-6-2, 9-6-3, 9-8-1, 9-8-2, 9-8-3, 9-8-4, 9-8-5, 9-10-1, and 9-10-2. Also to include a new Chapter 9-16.

Mr. McGuire reported that the City Attorney has not had sufficient time to review the proposed changes and would recommend that the public hearing be continued until the next meeting.

Mayor Pro tem Hill moved to continue the public hearing to the meeting of June 9, 2015. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Period for Hearing Visitors

Robert Wachter stated that he had attended the legislative appreciation dinner and he wanted to thank the Mayor and Council for all that they do for Artesia.

Personnel

Councilor Rogers moved, upon recommendation of the Mayor, to hire Aaron Fugate to the position of Water Technician at a salary of \$2,363 per month (CA20), subject to the successful completion of required pre-employment testing. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Councilor Rogers moved, upon recommendation of the Mayor, to hire Jeffrey McClure to the position of IT Administrator, at a salary of \$5,417 per month (CA43), subject to the successful completion of required pre-employment testing. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Councilor Rogers moved, upon recommendation of the Mayor, to hire Estephani Hernandez to the position of Street Department Equipment Operator I, at a salary of \$2,482 per month (CA22), subject to the successful completion of required pre-employment testing. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Councilor Rodriguez moved, upon recommendation of the Mayor, to hire Kalama Davis to the position of Certified Police Officer, at a salary of \$3,332 per month (CA32), subject to the successful completion of required pre-employment testing. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

Councilor Rodriguez moved, upon recommendation of the Mayor, to hire Barnabas Gonzales to the position of Un-Certified Police Officer, at a salary of \$3,178 per month (CA32), subject to the successful completion of required pre-employment testing. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Councilor Bratcher moved, upon recommendation of the Mayor, to promote William Propsner to the position of full-time Airport Assistant Supervisor, at a salary of \$2,361 per month (CA18), subject to the successful completion of required pre-employment testing. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Human Resources Director Sandi Farley presented the proposed employee benefits package for 2015-16. Ms. Farley reported that the initial increase was scheduled at 20%, but several proposed changes, including co-pay amounts and annual deductibles, the new increase would be 17-18%.

Mayor Burch stated that the proposal would pass along the increase equally to the city share and the employee share.

Councilor Rogers moved to approve the staff recommendations for the changes to the employee benefits package for 2015-16. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Community Development

Community Development Director Jim McGuire presented the following case requests:

1. Consideration and approval of Case No. 15-23, Summary re-plat at 1900 W. Grand, being the south 35 ft. of Lot 19 and Lots 20, 21 and 22, less the south 5 ft. in Cowan Subdivision, Owners: Faith Baptist Church; Agent: Smith Engineering.

Mr. McGuire reported that the request is to combine four lots on the north side of Grand, and that the church plans to use the area for a parking lot.

Councilor Rodriguez moved to approve the summary re-plat for 1900 W. Grand. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

2. Consideration and approval of Case No. 15-24, Final Plat for the Artesia Industrial Park North, 3000 to 3500 block of North Freeman Avenue, being a tract of land in the SW/4NW/4 of Section 33, T 16S, R26E. Owner: City of Artesia; Agent: Harcrow Surveying LLC.

Mr. McGuire reported that there were a total of 16 lots in the new Industrial Park site.

Councilor Rodriguez moved to approve the final plat for the Artesia Industrial Park North, 3000 to 3500 block of North Freeman Avenue. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

3. Consideration and approval of Case No 15-25, summary re-plat for 1002 and 1004 N. Seventh Street, Lots 10, 11 and 12 of Block 3 of Combs Subdivision, Owner: Ruth Hines, Agent: Harcrow Surveying LLC.

Mr. McGuire reported that this re-plat would combine three lots, then re-divide the area into two lots.

Councilor Rogers moved to approve the summary re-plat for 1002 and 1004 N. Seventh Street. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Infrastructure

Infrastructure Director Byron Landfair reported on the current status of projects and that final phase of North 13th Street should be completed in mid-June.

City Clerk

City Clerk Aubrey Hobson presented the proposed interim budget for 2015-16.

Councilor Rogers reported that the department heads had been requested to cut their budgets by 5%, and Mr. Hobson had reduced anticipated revenue by 5% as well.

It was requested that the city review projects that are phased and partially complete, prior to the approval of the final budget.

Councilor Rogers moved to approve the interim budget for 2015-16 as presented. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

There being no further business to come before the Council, the meeting adjourned at 7:43 p.m. May 26, 2015.


Mayor

ATTEST:


City Clerk